

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Lands - Government Lands - Government Land Allotment Policy - Uniform guidelines with regard to allotment of Government land for various purposes to different Government departments and private organisations - Empowering the District Collectors to resume allotted land in case of violation of conditions of alienation - Amendments - Orders - Issued.

REVENUE (ASSN.I) DEPARTMENT

G.O.MS.No.57

Dated 16-02-2015.

Read the following:

1. G.O.Ms.No.571, Revenue (Assn.I) Department, dt: 14.09.2012.
2. G.O.Ms.No.607, Revenue (Assn.I) Department, dt: 11.10.2012.
3. From the Spl. Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad, letter No.B1/457/2011, dated 25.06.2013.
4. From the Spl. Chief Secretary & Chief Commissioner of Land Administration, AP, Hyderabad, D.O. Letter No.B1/457/2011, dated 04.10.2013.

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O R D E R:

In the G.O. 1st read above, orders were issued approving the "Government Land Allotment Policy" and prescribing the uniform and comprehensive guidelines with regard to allotment of Government land for various purposes to different Government departments and private organisations both in terms of extent and rate on the allotments.

2. Further, in the G.O. 2nd read above, Government have constituted Andhra Pradesh Land Management Authority (APLMA) with certain powers and responsibilities regarding processing the proposals for land allotment and recommending to Government, as required under para 3 (c) of the G.O. 1st read above.

3. According to para 3 (e)(iv) of the G.O. 1st read above, the APLMA will periodically review the overall allotment and utilisation of the land. If the allottee has not utilized the land for the purpose for which it was allotted or changes the purpose, then action will be proposed to resume the land. Para 3 (k) of Annexure to G.O.Ms.No.571, Revenue (Assn.I) Department, dated 14.09.2012 provides that "whenever it comes to the notice of the administrative department, the District Collector or the Revenue Staff, that the allottee has violated any condition of alienation or conditions specified in the Memorandum of Understandings, proceedings of resumption of land shall be initiated after giving reasonable opportunity to the allottee to explain the alleged violation/ deviation". Further, according to para 5(i) of the G.O. 2nd read above, the Committee shall be vested with processing and recommending the land allotment, with the task of monitoring the utilization of land for the intended purpose and resumption of land in case of violation of conditions. As such, there is ambiguity about the powers of the APLMA/ Collectors to resume the allotted lands in case of violations of conditions of alienation.

4. The Chief Commissioner of Land Administration, AP, Hyderabad in his letter 3rd read above, has stated that most of the allottees/ alienees for whom the land has been allotted/alienated with some specific conditions are either keeping the land vacant after getting the allotment or putting it into use in total violations of the conditions of the alienation. Since the original allotment is done by Government after Cabinet approval, any cancellation of such allotment now has to go all the way upto the Cabinet and this is likely to cause huge delays in taking action for violations of conditions of alienation. By the time the matter is taken up with the Government, concrete structures are coming up making it difficult to remove them. Thus, it is appropriate to properly delegate this power of cancellation to the District Collectors. In case of any violation, the District Collectors would be in a position to cancel the alienation and resume the land duly following the procedure, immediately.

(P.T.O.)

5. The Chief Commissioner of Land Administration, A.P., Hyderabad has therefore requested the Government (i) to insert an additional paragraph in all future allotments in every Cabinet Resolution itself that the District Collectors shall be competent to resume the land in case of violation of conditions; and (ii) to authorize the District Collectors in all allocations already made by specific Resolution or any order, to exercise the powers of Government regarding resumption of the land allotted subject to violations of conditions.

6. Government after careful examination, hereby as follows :-

- (i) The concerned District Collector shall be empowered to cancel and resume land on the grounds of violation of conditions or non-utilisation of the allotted land in favour of private individuals/ private organisations/ Government organisations/ Government departments. This shall be made applicable to all previous allotments made hitherto.
- (ii) In all future land allocations going before the Council of Ministers, as a part of other conditions of such allocation one more conditions shall be indicated that- "for violation of condition as well as for non-utilisation of land, the District Collector of the District concerned would be the authority to cancel and resume the land from the allottee".
- iii) a) In annexure to G.O.Ms.No.571, Revenue (Assn.I) Department, dated 14.09.2012, para 3(e)(iv) shall be deleted.
b) In G.O.Ms.No.607, Revenue (Assn.I) Department, dated 11.10.2012, para 5(i) shall be deleted.

7. The Chief Commissioner of Land Administration, AP, Hyderabad and the District Collectors in the State shall take further necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C.SHARMA,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
The Chief Commissioner of Land Administration, AP, Hyderabad.
All Department of Secretariat.
All Head of Departments.
All District Collectors.
All Assignment Sections in Revenue Department.
Copy to
The PS to Secretary to Hon'ble C.M.(GSP).
The PS to Hon'ble Dy.C.M.(Revenue).
The PS to C.S.
The PS to Prl.Secy to Govt., Revenue (Assn.) Department.
Sf/Sc.

// Forwarded :: By order //

SECTION OFFICER.